

**United States District Court  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**BRIAN C. GREGG,**

**Plaintiff,**

ss ss ss ss

V.

8

§ Civil No.: 4:20-cv-873-ALM-KPJ

RICHARD E. ANDERSON,  
DAVID GARVIN, JACK BECKMAN,  
MICHELLE SCHWARTZ,  
KELLY GODDARD, RAY VELA,  
OR CESAR DELAGARZA,  
SUBSTITUTE TRUSTEES; AND  
SERVIS ONE, DOING BUSINESS AS  
BSI FINANCIAL SERVICES, INC.; AND  
U.S. BANK TRUST NATIONAL  
ASSOCIATION, TRUSTEE OF THE  
CABANA SERIES III TRUST.

## Defendants.

8

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On December 16, 2020, the Magistrate Judge entered proposed findings of fact and recommendations (the “Report”) (Dkt. #29) that Plaintiff Brian C. Gregg’s Emergency Motion for Remand (the “Motion”) (Dkt. #9) be denied.

The Report was mailed to Plaintiff by certified mail on December 17, 2020, but was returned as undeliverable (Dkt. #30). Local Rule CV-11(d) concerns changes of address:

Notices will be sent only to an e-mail and/or mailing address on file. A *pro se* litigant must provide the court with a physical address (i.e., a post office box is not acceptable) and is responsible for keeping the clerk advised in writing of his or her current physical address.

LOCAL RULE CV-11(d).

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

Accordingly, Plaintiff Brian C. Gregg's Emergency Motion for Remand (Dkt. #9) is hereby **DENIED.**

**IT IS SO ORDERED.**

**SIGNED this 7th day of January, 2021.**



AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE